

JUSTIFICATION AND APPROVAL
FOR EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs
Office of Acquisition and Logistics
Center for Acquisition Innovation-Austin
1701 Directors Blvd., Suite 600
Austin, Texas 78744
2. Description of Action: This proposed action is for a Firm-Fixed-Price Task Order (TO) to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) IV Government-Wide Acquisition Contract (GWAC), for procurement of a maintenance and technical support services of the Department of Veterans Affairs (VA) owned International Business Machines (IBM) hardware implemented within the VA Quantico Information Technology Center (QITC) and at QITC's Continuity of Operations Planning (COOP) site at Culpeper. The anticipated period of performance of the TO is twelve months.
3. Description of Supplies or Services: The proposed action will provide IBM brand name hardware and software maintenance and technical support services. The hardware and software are used to provide all computer infrastructure support to the VA National Cemetery Administration's (NCA) for over 180 facilities across seven (7) time zones. The QITC also operates its COOP facility, located at the Culpeper National Cemetery. The QITC is responsible for design, procurement, implementation, administration, security and management of all data networks, systems and large scale databases which make up the entire memorial benefits delivery systems. The QITC is operational 24x7x365. The existing IBM hardware and software, which forms the NCA computing infrastructure, is used for alpha, beta, development, and production computing environments for NCA; IT functions to house programs, applications and store data used to operate and support NCA memorial benefit delivery systems and operations; and for back up of production databases without impact to production performance or functionality. The QITC has a need for co-terminous maintenance and technical support of VA-owned IBM hardware and software. Hardware maintenance and technical support will allow for repair and support to remedy hardware failure as well as enhancing and optimizing hardware performance. The software maintenance and technical support shall allow for repairs to internal operating systems, software and other IBM system appliances with embedded software. Service includes all hardware and software repairs, corrections, software fixes, patches, releases, updates and upgrades. Technical support includes providing 24x7x365 hardware repair on-site and software technical support and maintenance with 24x7x365 telephone support and adherence to response times. Additionally, support includes all hardware and software repairs, corrections, fixes, patches, releases, updates and upgrades to ensure the IBM hardware and software systems remain operational. The total estimated price of the proposed twelve month TO is [REDACTED]

4. Statutory Authority: The statutory authority permitting this exception to fair opportunity is Federal Acquisition Regulation (FAR) Subpart 16.505(b)(2)(i)(B) entitled, "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized."
5. Rationale Supporting Use of Authority Cited Above: VA has implemented IBM brand name hardware and software for use at its datacenter in Quantico, Virginia, and at the QITC's COOP site. VA has invested approximately \$8 million to acquire IBM brand name hardware and software at the QITC datacenter and at the QITC's COOP site to support all VA NCA's memorial benefits operations. The brand name hardware and software infrastructure currently implemented within QITC is used for all hardware, storage, development, alpha, beta and production items for business applications and is compatible with VA's existing IT environment. Maintenance and technical support is required for VA-owned IBM hardware and software assets currently in use at the QITC. Maintaining and repairing VA-owned IBM hardware and software is mission critical to the operations of QITC and VA-NCA and requires technical knowledge and expertise in IBM hardware and software, as well as immediate access to IBM parts. In addition, the VA-owned IBM hardware and software are proprietary to IBM and IBM has a warranty requirement that requires only IBM authorized, certified and trained personnel may work on IBM systems. Without continued maintenance and technical support, the hardware and software may not efficiently perform their intended functions, which would reduce QITC's ability to provide a secure, stable IT infrastructure, and lead to significant work stoppages and serious erosion in supporting NCA's overall mission to serve Veterans.
6. Efforts to Obtain Competition: Market research was conducted, the details of which are in Section 8 of this document. Limited competition is anticipated for the needed maintenance and technical support services for brand name hardware and software. Furthermore, in accordance with FAR 5.3, the contract award will be synopsisized on the Federal Business Opportunities (FBO) Page. In addition, this Justification and Approval (J&A) will be made publicly available on the FBO Page.
7. Actions to Increase Competition: Although the Government is limiting competition as a result of specifying brand name maintenance and technical support services, there are multiple IBM authorized partners/resellers of the brand name services on the NASA SEWP IV GWAC. Limited competition among these vendors is anticipated. Additionally, this J&A and the Request for Quotation will be submitted to all four NASA SEWP IV GWAC groups in order to fully notify all interested parties. Any quotations received will be evaluated.
8. Market Research: The Government's technical experts conducted market research and found only IBM brand name hardware and software maintenance and technical support services will meet the Government's requirements. Maintenance and technical support implemented by companies other than IBM

authorized partners/resellers would result in the warranties for VA-owned IBM systems that materially support mission critical functions of NCA being invalidated. The name brand hardware and software requiring maintenance is currently implemented and is compatible with VA's existing environment, and it would not be cost effective to acquire another system. Having multiple hardware/software platforms would require different expertise and establishment of new procedures including separate diagnostic, configuration, security, access, and command procedures. Investing in other hardware/software platforms would take years to execute, is estimated to cost over \$20 million for equipment and installation, and would require retraining for numerous staff. Additional risks would be incurred, as the new hardware/software would require additional administration, installation, training and maintenance costs. Furthermore, all NCA memorial benefit delivery applications would need to be reevaluated and reprogrammed as all have been built on the IBM platform. Due to the critical nature of this infrastructure, scheduled down time of the hardware and software systems would be prohibited. The efficient and most cost effective approach is to continue with VA's existing products, which require continued maintenance and technical support. Adequate competition among the authorized vendors can be expected for this proposed action.

9. Other facts supporting the use of other than full and open competition: None.